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July 25, 2003

**BY HAND DELIVERY**

Joan Foster Evans, Esq.

Department of Telecommunications and Energy

Commonwealth of Massachusetts

One South Station, 2<sup>nd</sup> Floor

Boston, MA 02110

**Re: D.T.E. 03-50 – Verizon Massachusetts Performance Assurance Plan**

Dear Ms. Evans:

In accordance with the conditions set forth in footnote 18 (page 20) of Verizon Massachusetts' ("Verizon MA") revised Performance Assurance Plan ("PAP") approved by the Department on May 29, 2003, enclosed is a CD containing the Carrier-to-Carrier Metric Algorithms ("CMAs") related to the PAP metrics.<sup>1</sup> The CMA data is voluminous, and therefore, are being provided to the Department solely on a CD.

The data contained on the enclosed CD is considered by Verizon MA to be highly confidential and proprietary. Moreover, the CMAs are an extraction of Verizon's Network Metrics Platform of SQL programming code for each of the Carrier-to-Carrier ("C2C") metrics. These algorithms, when compiled and executed against the appropriate data files, produce the C2C metric performance results and observations (where applicable). The application to produce the CMA documents was developed by Verizon personnel (and contractor personnel directed by Verizon) who analyzed the C2C Guidelines, developed an extraction methodology and software to produce the algorithms

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<sup>1</sup> Footnote 18 of the revised Massachusetts PAP Guidelines states:

A two-year statute of limitation on challenges to PAP performance will be adopted and effective July 25, 2003 for the June 2003 performance report. The initiation of this provision is contingent upon Verizon providing the algorithms in a structure format, related to the PAP metrics to the Department prior to July 25, 2003. Verizon MA will provide notice to CLECs receiving PAP reports that it has satisfied this obligation. (Guidelines at 20)

(computer code) for each of the metrics in the C2C Guidelines. The CMAs are thus also protected by copyright and intellectual property laws, and the appropriate copyright designation has been placed on the CMAs. Accordingly, Verizon MA requests that the Department treat the CMA CD and information contained therein as confidential and not place any portion on the public record or otherwise make the data available for public review. Verizon MA will file a formal motion with the Department seeking confidential treatment of the CMA CD and its contents within the next several days.

If you have any questions, please do not hesitate to call me.

Very truly yours,

Bruce P. Beausejour

cc: Mary L. Cottrell, Secretary (w/o attachment)  
Service List (electronically w/o attachment)